

AGENCY NAME:

South Carolina Commission on Prosecution Coordination

AGENCY CODE:

E21

SECTION:

60



Fiscal Year 2013-14 Accountability Report

SUBMISSION FORM

AGENCY MISSION

The South Carolina Commission on Prosecution Coordination (SCCPC) was created to coordinate all activities involving the prosecution of criminal cases in this State. The Commission is governed by Sections 1-7-910 through 1-7-1000 of the South Carolina Code of Laws. The Commission is composed of the Chairmen of the Senate and House Judiciary Committees or their legislative designees, the Chief of the South Carolina Law Enforcement Division, the Director of the Department of Public Safety, a director of a Judicial Circuit Pre-Trial Intervention Program (PTI), a Judicial Circuit Victim-Witness Assistance Advocate, and five Judicial Circuit Solicitors appointed by the Governor.

The mission of the South Carolina Commission on Prosecution Coordination is to improve South Carolina's Criminal Justice System by enhancing the effectiveness and professionalism of South Carolina's Solicitors and their staff through activities such as coordination of prosecution services, education, information, association, and interaction; and to achieve objectives which will benefit and improve the Office of Solicitor.

Please identify your agency's preferred contacts for this year's accountability report.


| | <i>Name</i> | <i>Phone</i> | <i>Email</i> |
|--------------------|---------------|--------------|----------------------|
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I have reviewed and approved the enclosed FY 2013-14 Accountability Report, which is complete and accurate to the extent of my knowledge.

AGENCY DIRECTOR

(SIGN/DATE):


(TYPE/PRINT NAME):

 9/15/2014
David M. Ross, Executive Director

BOARD/CMSN CHAIR

(SIGN/DATE):

(TYPE/PRINT NAME):

 9/15/2014
Kevin S. Brackett, S.C. Commission on Prosecution Coordination Chairman

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AGENCY'S DISCUSSION AND ANALYSIS

Notable Achievements from FY 2013/14:

The Commission's notable achievements from the past year are listed below.

- Received additional recurring funding of \$1.6 million dollars for Violent Crime Prosecution for the FY2014/15 budget
- Provided 19 training sessions for 1,218 persons covering a variety of topics relevant to the prosecution of crimes in South Carolina's state courts, including capital litigation, sex crimes, child homicide, gang issues, expungements, DUI, and organized retail crime
- Provided timely legal updates to the Solicitors' Offices on actions of the Courts and Legislature
- Applied for and received federal grants for the John R. Justice Student Loan Forgiveness Program
- Applied for and received Traffic Safety Resource Prosecutor grant (a federal grant passed through the South Carolina Department of Public Safety)
- Prepared and submitted the SCCPC Report on Diversion Programs to the Sentencing Oversight Committee
- Assisted prosecutors with trial, appeal, and research issues
- Prepared and submitted statistics regarding CDV and DUI prosecutions to the Legislature
- Reviewed criminal and criminal justice related legislation and provided information to both the Solicitors and the Legislature
- Began work on building a new website

The Goals included in the current accountability report are broader than what have been included in the past. They are long-term goals looking to FY14/15 and beyond.

The SCCPC has a "central office," manned by seven employees, which provides support services for the 16 Solicitors' Offices. Its budget includes all state funding for the 16 Solicitors' Offices, each of which is overseen by an elected Solicitor. Because of the small staff of the SCCPC central office and the absence of a centralized system that maintains the 16 Solicitor's Office's data, it is difficult to accumulate and analyze data. This makes creating meaningful performance measures that would apply to the 16 Solicitors' Offices difficult.

Program Goal 1. Provide quality support services to the Offices of Solicitor.

The SCCPC provides quality support services to the Offices of Solicitor in a number of ways, chief among them is providing regular training for all prosecution staff, technical assistance to prosecution staff, and timely distribution of updates on judicial and legislative actions.

Regular Training: During FY 13/14, the SCCPC conducted 19 trainings attended by 1,218 persons. These trainings, which varied from 1.0 hours to 25.15 hours, offered 144.15 hours of training and focused on the needs of prosecutors, prosecution paralegals, prosecution investigators, prosecution victim advocates, diversion program staff, and prosecution administrative staff. This training included the Prosecution Bootcamp program, which was created to train prosecutors with two or less years of

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prosecution experience and the first offering was conducted in 2009. The program, which is now a five-day program, includes not only lectures on necessary topics related to criminal law, ethics, and prosecutor discretion, but also trial advocacy training. Students are required to perform portions of a trial (jury argument and witness examination) and are critiqued by experienced faculty on both the substance and style of their performance. The FY 13/14 program trained 42 new prosecutors. Materials were developed for the trainings that not only allowed the attendees to follow the speakers, but were intended to be useful resource materials once the training attendees returned to their offices. Training hours are accredited by the South Carolina Bar, the Criminal Justice Academy and South Carolina Office of Victim Services Education and Certification. Every training that is conducted has an evaluation form by which the agency measures the effectiveness of the training. Attendees assess training speakers' presentations and materials in numerical format and the evaluation forms also allow for comments. These forms are collected at the end of each training and reviewed to determine how the training may be improved in the future. Training programs conducted by the agency consistently receive high marks by attendees.

Technical Assistance: During FY 13/14 the SCCPC served as a direct resource for the Solicitors' Offices on all aspects of prosecution, trial, appeal, and research issues. The SCCPC continued to provide regular legislative and case law updates to all offices of the Solicitor through trainings, meetings, conferences, and email.

Secure Computer Data by Continuing to Contract with DSIT for IT and Computer Support: The agency continues to contract with the Department of State Information Technology (DSIT) for IT and computer support. The SCCPC migrated its office shared drive from internal storage to DSIT hosted storage during FY12/13 and contracted with DSIT for desktop and laptop support so that anti-virus/anti-malware protection is kept current. This ensured secure access to the contents of the SCCPC data storage, as well as a backup system in the event of data loss. The SCCPC continued to use DSIT as its IT and computer support provider during FY13/14. Additional recurring state funding would allow the SCCPC to continue utilizing DSIT as its IT and computer support provider for FY14/15 and beyond.

Develop Guidelines for the Proper Caseload each Prosecutor Should Handle: SCCPC is in the process of working with the Solicitors to develop guidelines for the proper caseload each prosecutor should handle. This will include obtaining information from other states on prosecution caseloads and also analyzing statistics on statewide and county level caseloads. This information will be used during the budget process.

Program Goal 2. Protect the community by vigorously but fairly prosecuting those who violate the law.

The primary strategy in meeting this goal is to reduce the time from arrest to disposal of the case in every judicial circuit. An increase in funding will allow Circuit Solicitors the opportunity to hire additional prosecutors and staff, which would reduce the average prosecutor caseload in each circuit. This reduction will allow prosecutors and staff to effectively manage a caseload and focus on reducing the overall time it takes to reach a resolution on each case.

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There are approximately 316 full-time and 13 part-time prosecutors handling cases in General Sessions Court.

According to the South Carolina Judicial Department, in FY2013/14: there were 113,771 cases added in General Sessions Court, the 16 Solicitors' Offices disposed of 115,763 cases, and there were 105,933 cases pending on June 30, 2014. In FY2012/13 there were: 114,663 new cases added in General Sessions Court, the 16 Solicitors' Offices disposed of 118,925 cases, and there were 107,111 cases pending on June 30, 2013 statewide.

For the FY2014/15 budget, the General Assembly provided an additional \$1.6 million dollars for Violent Crime Prosecution Funding. This funding was badly needed and will provide \$100,000 for each of the 16 Circuit Solicitors' Offices and will allow each office more resources to devote to violent crime. As was stated in our budget request last year, South Carolina is consistently one of the top states in the number of violent crimes committed on a per-capita basis. South Carolina also consistently ranks highest or near highest in the nation in the number of women killed by men. The prosecution of violent crime remains a top priority for the Solicitors, but is challenging due to the lack of resources. The continued lack of funding causes delays in prosecution, increased backlogs, victims having to wait for extended periods of time for their case to be heard, an increase in the number of inmates in the local jail, as well as violent offenders being released on bond and thereby committing more crimes while they await trial. These types of crimes require more personnel and more resources to prosecute than non-violent crimes do.

Even with the additional \$1.6 million dollars, there are still an insufficient number of prosecutors, investigators, and support staff to handle the workload in as timely a manner as the public expects.


On September 5, 2014, there were pending in South Carolina: 762 Murder cases; 2,004 Attempted Murder cases; 32 Homicide by Child Abuse cases; 2,040 Armed Robbery Cases; 2,368 Burglary 1st Degree cases; 553 Burglary 2nd Degree-Violent cases; 1,662 Criminal Sexual Conduct 1st and 2nd Degree cases; 563 Assault and Battery of a High and Aggravated Nature cases; and 106 Felony DUI with Death cases. On August 29, 2013, there were pending in South Carolina: 788 Murder cases; 2,272 Armed Robbery cases; 2,643 Burglary 1st Degree cases; 588 Burglary 2nd Degree-Violent cases; and 1,667 Criminal Sexual Conduct 1st and 2nd Degree cases.

The 16 elected Solicitors are responsible for keeping the citizens of South Carolina safe and are committed to doing so, but much more funding is crucial if a significant reduction in the number of pending cases, especially cases involving violent crime, is to be made.


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Key future challenges include:

- the number of criminal cases in both the General Sessions and Family Courts, as well as the increasing complexity of the cases and evolving legal requirements, which challenge the SCCPC in fulfilling its statutory obligations; and
- the lack of resources needed to accomplish its goals, including
 - the lack of sufficient dedicated funding for prosecutors, investigators, victim advocates, and support staff in the Solicitors' Offices; and
 - the lack of dedicated funding for training.

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| Agency Name: | S.C. Commission on Prosecution Coordination | | |  | Fiscal Year 2013-14 Accountability Report |
| Agency Code: | E21 | Section: | 060 | Strategic Planning Template | |

| Type | Goal | Strat | Object | Description |
|------|------|-------|--------|---|
| G | 1 | | | Provide quality support services to the Offices of Solicitor |
| S | | 1.1 | | Enhance the professionalism and effectiveness of South Carolina's Solicitors and their staff. |
| O | | | 1.1.1 | Conduct regular training for prosecutors and staff on a wide varitey of topics |
| O | | | 1.1.2 | Provide technical assistance to prosecutors and staff |
| O | | | 1.1.3 | Provide timely legislative updates |
| O | | | 1.1.4 | Provide regular case law updates |
| S | | 1.2 | | Secure Computer Data by continuing to contract with DSIT for IT and computer support |
| O | | | 1.2.1 | Obtain additional state funding to pay for DSIT support |
| S | | 1.3 | | Develop guidelines for the proper caseload each prosecutor should handle |
| O | | | 1.3.1 | Obtain information from studies and from other states on proper prosecution caseloads |
| O | | | 1.3.2 | Gather and analyze statistics on statewide and county level caseloads |
| S | | 1.4 | | Upgrade Pretrial Intervention Database to make entry of information more efficient as well as add other Diversion Programs to the Database |
| O | | | 1.4.1 | Work with SLED to write new computer program that will interface with all 16 Solicitor's Offices |
| G | 2 | | | Protect the community by vigorously but fairly prosecuting those who violate the law |
| S | | 2.1 | | Reduction of the time it takes to dispose of criminal cases |
| O | | | 2.1.1 | Obtain additional funding in order to increase the number of assistant solicitors and staff so that caseloads are more manageable and cases can be handled in a timely manner |
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| Performance Measurement Template | | | | | | | | | |
| Item | Performance Measure | Last Value | Current Value | Target Value | Time Applicable | Data Source and Availability | Reporting Freq. | Calculation Method | Associated Objective(s) |
| 1 | Number of Trainings Held | 20 | 19 | 15-20 | July 1-June 30 | SCCPC | Annually | N/A | 1.1.1 |
| 2 | Number of Persons trained | 1,230 | 1,218 | N/A | July 1-June 30 | SCCPC | Annually | N/A | 1.1.1 |
| 3 | Number of Data Breaches or Hacks | 0 | 0 | 0 | July 1-June 30 | SCCPC | Annually | N/A | 1.2.1 |
| 4 | Number of General Sessions cases added | 114,663 | 113,771 | N/A | July 1-June 30 | S.C. Judicial Department | Monthly | N/A | 1.3.1, 1.3.2, 2.1.1 |
| 5 | Number of Generals Sessions cases disposed of | 118,925 | 115,763 | N/A | July 1-June 30 | S.C. Judicial Department | Monthly | N/A | 1.3.1, 1.3.2, 2.1.1 |
| 6 | Pending General Sessions caseload | 107,111 | 105,933 | N/A | July 1-June 30 | S.C. Judicial Department | Monthly | N/A | 1.3.1, 1.3.2, 2.1.1 |
| 7 | Number of Full-Time General Sessions Prosecutors | | 316 | Caseload Guidelines are being developed which will determine the number of full-time prosecutors needed | July 1-June 30 | SCCPC | Annually | Caseload Guidelines are being developed | 1.3.1, 1.3.2, 2.1.1 |
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